



# Iowa Department of Human Services

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Director

November 9, 2015

Kristine Thomas  
105 Bluff St. Apt. B  
Council Bluffs, IA 51501

Dear Child Care Provider,

This letter is in regards to the November 5, 2015 compliance check of your Level B, Registered Child Development Home. Iowa Code Chapter 237A and 441 Iowa Administrative Code, Chapter 110, describes specific requirements that must be met by a Registered Child Development Home.

The following areas were out of compliance at the time of my visit:

*The provider does not have a second exit from the home. DHS field compliance staff reviewed codes. The provider was instructed to come into compliance by using a window with permanent steps to and from the window or to decrease to a Category A registered child Development home.*

*The provider also had children sleeping on the second floor of the home. There is not a permanent exit from this floor. The children were not supervised during nap time. The provider was instructed she cannot use the second floor for child care activities including nap time. The provider was instructed to immediately cease using the second floor for child care.*

☐ 441 IAC 110.5(1) Conditions in the home are safe, sanitary, and free of hazards.

*The provider does not have two exits from the home and the provider was using a second floor for nap times.*

☐ 441 IAC 110.5(1)"a" The home shall have a nonpay, working land-line or mobile telephone with emergency numbers posted for police, fire, ambulance, and the poison information center. The number for each child's parent, for a responsible person who can be reached when the parent cannot, and for the child's physician shall be written on paper and readily accessible by the telephone. The home must prominently display all emergency information, and all travel vehicles must have a paper copy of emergency parent contact information.

*The provider occasionally transports children but does not have emergency contact information for children in vehicle.*

*Best practice: DHS compliance field staff also suggested the provider include copies of the Emergency Medical form as well as attach pictures of children to forms in the event she is not able to communicate with emergency responders. This is not policy and was merely a suggestion for best practice.*

☐ 441 IAC 110.5(1)"b" All medicines and poisonous, toxic, or otherwise unsafe materials shall be secured from access by a child.

*The medications need to be locked up to ensure children do not have access to them.*

☐ 441 IAC 110.5(1)“c” A first-aid kit shall be available and easily accessible whenever children are in the child development home, in the outdoor play area, in vehicles used to transport children, and on field trips. The kit shall be sufficient to address first aid related to minor injury or trauma and shall be stored in an area inaccessible to children. The kit shall, at a minimum, include adhesive bandages, antiseptic cleaning materials, disposable tweezers, and disposable plastic gloves.  
*The provider needs to obtain disposable tweezers and needs to ensure first aid kit is in the car.*

☐ 441 IAC 110.5(1)“g” Approved safety gates at stairways and doors shall be provided and used as needed.  
*The provider needs to put up safety gates leading upstairs and down to the basement and into the other household unit.*

☐ 441 IAC 110.5(1)“j” Emergency plans in case of man-made or natural disaster shall be written and posted by the primary and secondary exits. The plans shall clearly map building evacuation routes and tornado and flood shelter areas.  
*The provider had emergency plans by the front door but there is no back door or second exit. If provider uses a window for second exit then emergency plans will need to posted by it.*

☐ 441 IAC 110.5(1)“o” Smoking and the use of tobacco products shall be prohibited at all times in the home and in every vehicle in which children receiving care in the home are transported. Smoking and the use of tobacco products shall be prohibited in the outdoor play area during the home’s hours of operation. Nonsmoking signs shall be posted at every entrance of the child care home and in every vehicle used to transport children.  
All signs shall include:

(1) The telephone number for reporting complaints, and

(2) The Internet address of the department of public health ([www.iowasmokefreeair.gov](http://www.iowasmokefreeair.gov))

*The provider needs to put a non-smoking sign in her vehicle and once she has determined a second exit the provider will need to also put non-smoking sign by 2<sup>nd</sup> exit.*

441 IAC 110.5(2) A provider file is maintained and contains:

☐ 441 IAC 110.5(2)“a” A physician’s examination report for the provider and all members of the household . Acceptable physical examinations shall be documented on Form 470-5152, Child Care Provider Physical Examination Report. The examination shall include any necessary testing for communicable diseases; a discussion of recommended vaccinations; completed no more than six months prior to initial registration; completed by a licensed medical doctor, doctor of osteopathy, physician assistant or advanced registered nurse practitioner; and repeated at least every three years.

*The provider’s boyfriend and son reside in the home. They do not have physicals on file.*

441 IAC 110.5(2)“b” (1) Certificates or training verification and record check documentation.  
*The provider’s CPR/First Aid expires on 11/2015. The provider reported she has a call into the teacher of the local classes to set up a time to get re-certified.*

Certification by an approved trainer/organization in infant and child first-aid that includes mouth-to-mouth resuscitation. The provider shall maintain a valid certificate indicating the date of first-aid training and the expiration date

☐ 441 IAC 110.5(2)“b”(2) Documentation from the department confirming the record checks required under 441 IAC 110.7(3) have been completed and authorizing or conditionally limiting the person’s involvement with child care.

*The provider’s boyfriend and son reside in the home and have not completed background checks. The provider was instructed to update her registration immediately and send in fingerprints for boyfriend and form for his son. DHS compliance field staff will monitor the provider’s progress with this in KT.*

☐ 441 IAC110.5(2)“c” An individual file is maintained for each staff assistant and contains:

*One of the two assistants was missing mandatory reporting training in their file. The assistant must obtain in the next 45 days.*

**(3)** Certification of two hours of approved training relating to identification and reporting of child abuse within 6 months of employment and repeated every 5 years.

☐ 441 IAC 110.5(2)“d” An individual file is maintained for each substitute and contains:

*One of the two substitutes was missing mandatory reporting training in their file. The substitute must obtain in the next 45 days.*

**(3)** Certification of two hours of approved training relating to identification and reporting of child abuse within 6 months of employment and repeated every 5 years.

441 IAC 110.5(8) Children’s Files. An individual file is maintained for each child and updated annually or when there are changes.

Each file contains:

☐ 441 IAC 110.5(8) “d”. An admission physical examination report signed by a licensed physician or designee in a clinic supervised by a licensed physician

**(1)** The date of the physical examination shall not be more than 12 months before the child’s first day of attendance at the child development home.

**(2)** The written report shall include past health history, status of present health, allergies and restrictive conditions, and recommendations for continued care when necessary.

**(3)** For a child who is five years of age or older and enrolled in school, a statement of health status signed by the parent or legal guardian may be substituted for the physical examination report.

**(4)** The examination report or statement of health status shall be on file before the child’s first day of care.

*One child was missing an initial physical in file.*

☐ 441 IAC 110.5(8) “e”. A statement of health condition signed by a physician or designee submitted annually from the date of the admission physical. For a child who is five years of age or older and enrolled in school, a statement of health status signed by the parent or legal guardian may be substituted for the physician statement.

*Three children were missing updated annual physicals in their files and one school age child was missing a statement of health from their file.*

441 IAC 110.5(10) Substitutes. The provider shall assume responsibility for providing adequate and appropriate supervision at all times when children are in attendance. Any designated substitute shall have the same responsibility for providing adequate and appropriate supervision. Ultimate responsibility for supervision shall be with the provider.

*DHS compliance worker reviewed the following information regarding substitutes with the provider. The provider reported she does not use the substitutes and will keep record of their hours in their files if she does use them.*

- a. All standards regarding supervision and care of children apply to substitutes.
- b. Except in emergency situations, the provider must inform parents in advance of the planned use of a substitute.
- c. The substitute must be 18 years of age or older.
- d. Use of a substitute is limited to: No more than 25 hours per month. An additional period of up to two weeks in a 12-month period. (These limitations do not apply per Iowa Code Section 237A.3A(3)(e) when the provider is engaged in jury duty or official duties related to provider's membership on state board, committee or policy-related body.)
- e. The provider maintains a written record of the number of hours substitute care is provided, including the date and the name of the substitute.

**441 IAC 110.10(1) SPECIFIC REQUIREMENTS FOR CHILD DEVELOPMENT HOME CATEGORY "C1"**

The provider was in compliance with the number of children she can care for as a registered Category C1 child development home. This information is included for informational purposes only.

441 IAC 110.10(1)"a" No more than 8 children not attending kindergarten or a higher grade level shall be present at any one time

441 IAC 110.10(1)"b" Of these 8 children, not more than 4 children who are 24 months of age or younger shall be present at any one time.

**441 IAC 110.10(3) Facility requirements:**

☐ 441 IAC 110.10(3)"c" The home shall have a minimum of two direct exits to the outside from the main floor.

*There are not two exits from the home. The provider was using the second floor for nap time for the children and there is not an exit from the second floor.*

**(1)** If the second level or the basement of the home is used for the provision of child care, other than the use of a restroom, each additional child-occupied floor shall have at least one direct exit to the outside in addition to one inside stairway.

**(2)** All exits shall terminate at grade level with permanent steps.

**(3)** A basement window may be used as an exit if the window can be opened from the inside without the use of tools and it provides a clear opening of not less than 20 inches in width, 24 inches in height, and 5.7 square feet in area. The bottom of the opening shall be not more than 44 inches above the floor, with permanent steps inside leading up to the window.

**(4)** Occupancy above the second floor shall not be permitted for child care

**Suggestions for Improvement:**

**DHS field compliance worker strongly encourages the provider to maintain contact with CCRR representative. It is recommended the provider have CCRR to the home to review Checklist for Child Development Home Registration and to review changes to policy and rules. DHS field compliance expects the provider to be up to date with changes in policy and rules for Registered Child Development homes.**

Non-compliance with any of the mandated regulatory requirements listed above may lead to the cancellation or revocation of your Child Development Home Registration. **Please take whatever steps are necessary to completely address each of the violations noted above. It is essential you correct all above-mentioned violations.**

☐ Based on the items out of compliance listed above, you will be required to have a recheck or follow up visit to your home. **A follow up check will occur on or after December 16, 2015. The provider must be in full compliance with exits from the home or have decreased to a Category A Registered Child Development home.**

Please do not hesitate to contact me at DHS at (712) 328 – 5713 or mnoddin@dhs.state.ia.us if you have any questions regarding this letter.

Sincerely,



Social Worker II



Social Work Supervisor

Always Remember:

Child Care Resource and Referral is an excellent resource for providers to access training options and support in your area. You can reach Child Care Resource and Referral at 1-800-945-9778.

As you plan your future trainings to meet your 24 hours of training requirement, please remember that you need to use only DHS approved training and only 12 hours can be by self-study. You can access the approved training by going to [http://www.dhs.state.ia.us/Consumers/Child\\_Care/Professional\\_Development.html](http://www.dhs.state.ia.us/Consumers/Child_Care/Professional_Development.html) and you can sign up for training at <https://ccmis.dhs.state.ia.us/trainingregistry/>

All providers need to maintain compliance with rules set out in Iowa Administrative Code, Chapter 110, which includes: 441 IAC 110.5(1): Check with the appropriate authorities to determine how the following local, state, or federal laws apply to you: • Zoning code • Building code • Fire code • Business license • State and federal income tax • Unemployment insurance • Worker's Compensation • Minimum wage and hour requirements • OSHA • Americans with Disabilities Act (ADA).